



09 JUN 2010

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In re Application of

IGARASHI *et al*

U.S. Application No.: 10/591,745

PCT No.: PCT/JP2005/003139

Int. Filing Date: 25 February 2005

Priority Date: 04 March 2004

Attorney Docket No.: 96790P553

For: COATING APPARATUS FOR OPTICAL
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DECISION

This decision is in response to the "Petition Under Rule 1.182 to Correct International Application Number" filed on 12 March 2010.

BACKGROUND

On 30 August 2006, applicants filed a national stage application listing the international application number on the transmittal letter (Form PTO-1390) as PCT/JP2005/0033139. An executed declaration was also filed at the same time; the international application was listed as PCT/JP2005/003139. The USPTO processed the application as the national stage of PCT/JP2005/033139.

On 26 March 2008, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) and filing receipt. The international application was listed as PCT/JP2005/033139 on both forms.

On 12 March 2010, applicants filed a petition to change the underlying PCT application in the above-identified national stage application.

DISCUSSION

Applicants petition to correct the PCT number in the above-captioned national stage application to PCT/JP2005/003139. Applicants state that the transmittal letter had a typographical error incorrectly identified the underlying PCT application as PCT/JP2005/0033139. Despite this error, petitioners argue that the national phase application as filed is sufficient to identify the correct international application number.

This request is treated as a petition under 37 CFR 1.182. The \$400.00 petition

fee has been paid.

A review of the above-captioned application verifies that the wrong PCT number was designated on the transmittal letter. All other indications on the transmittal letter including the name of the first inventor, the title, and the international filing date correspond to PCT/JP2005/003139. Applicants also included a copy of PCT/JP2005/003139 with the national stage papers, as well as several international forms from PCT/JP2005/003139. In addition, the declaration clearly identifies the underlying international application as PCT/JP2005/003139 and the inventors who signed the declaration are listed as the inventors for PCT/JP2005/003139.

As such, it is clear that the subject application was intended to be filed as the national stage of PCT/JP2005/003139.

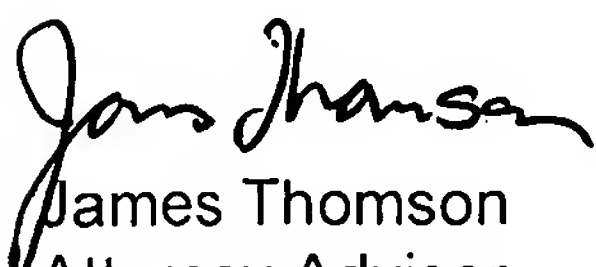
CONCLUSION

Applicants' petition under 37 CFR 1.182 is GRANTED.

Office records have been updated to reflect that the subject application is the national stage of PCT/JP2005/003139.

The Form PCT/DO/EO/903 and filing receipt mailed 26 March 2008 both misidentify the international application number, and are hereby VACATED.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for further processing including mailing a corrected Form PCT/DO/EO/903 and filing receipt listing the international application as PCT/JP2005/003139.



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